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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/809,903

03/25/2004

Keith Salvucci

119-0027US

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WONG, CABELLO, LUTSCH, RUTHERFORD & BRUCCULERI,

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SUITE 600

HOUSTON, TX 77070

EXAMINER

ULRICH, NICHOLAS S

ART UNIT

PAPER NUMBER

2112

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/809,903

Applicant(s)

SALVUCCI, KEITH

Examiner

Nicholas S. Ulrich

Art Unit

2112

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 3/25/2004
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1 – 29 are pending.
2. The IDS filed 3/25/2004 has been considered.

Claim Objections

3. Claims 24 and 25 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim.

Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. The claims recite dependency to a claim 3b which does not exist within the specification. The examiner has interpreted the claims to both be dependent on claim 23. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Antony Bolante (Premiere 6.5 for Windows and Macintosh: Visual Quickstart Guide).

In regard to claim 1, Bolante discloses a method for editing an media file comprising one or more media segments, using software designed for use on a general-purpose computer, the software having a graphical user interface comprising a cursor and an iconographic timeline indicating different locations within the file, the method comprising (*Pg 9 Paragraph 4: Bolante discusses using Premiere for editing digital video, audio, still images, and text (which are all considered media files) on a desktop computer; Pg 16 Paragraph 2: Bolante discusses operating systems to run the program; Pg 23 Paragraph 1 lines 3-4: Bolante discusses the graphical representation of media clips arranged in a timeline window; and Pg 24 Figure 7.5 and Paragraph 1: Bolante shows and discusses the user interface and cursor associated with Premiere*):

receiving from a user interface signals corresponding to positioning the cursor over the timeline in a position corresponding to an endpoint of a media segment (*Pg 24 Paragraph 4: Bolante discusses moving the pointer (or cursor) within the timeline to the outpoint on the right edge of the clip. The outpoint is considered the endpoint*);

receiving from the user interface signals corresponding to grabbing and moving the endpoint within the timeline (*Pg 24 Paragraph 5 – Pg 25 Paragraph 2*);

and changing the length of the media segment in response to the movement of the endpoint within the timeline (*Pg 24 Paragraph 5 – Pg 25 Paragraph 2*).

In regard to claim 2, Bolante discloses the method further comprising displaying an iconographic affordance indicating available directions for moving the endpoint (*Pg*

24 Paragraph 4 line 2: Bolante demonstrates and shows the trim out tool where the pointer (or cursor) changes to the image shown).

In regard to claim 3, Bolante discloses the method wherein the affordance comprises an arrow (*Pg 24 Figure 7.5: Bolante enlarges a view of the trim out tool which contains arrows as shown in the Figure*).

In regard to claim 4, Bolante discloses the method wherein an iconographic representation of the endpoint changes to indicate whether the segment length may be changed (*Pg 25 Paragraph 2: Bolante inherently shows that the endpoint changes to indicate whether the segment length may be changed by switching between a folded edge and a normal edge. When the edge is folded, the user knows that the endpoint cannot be extended any further. When the edge is not folded the user knows that the endpoint can be extended*).

In regard to claim 5, Bolante discloses the method wherein the iconographic representation of the endpoint comprises squared edges to indicate that the segment has been trimmed (*Pg 25 Paragraph 2: Bolante discusses that when the clip cannot be extended any further a folded corner is displayed on the edge. This inherently shows that if the endpoint had been shortened from its maximum length, then the folded corner would not be present and a squared corner would indicate that the endpoint had been shortened*).

In regard to claim 6, Bolante discloses the method wherein the iconographic representation of the one or more endpoints comprises rounded edges to indicate that the segment has not been trimmed (*Pg 25 Paragraph 2: Bolante discusses that when the clip cannot be extended any further a folded corner is displayed on the edge. This inherently shows that if the endpoint had not been trimmed then it would be full length and display a folded corner to indicate that it had not been trimmed*).

In regard to claim 7, Bolante discloses the method further comprising: displaying representative frames corresponding to the audio video segment endpoint (*Pg 25 Paragraph 1: Bolante discusses using edge viewing which displays the current edge frame*).

In regard to claim 8, Bolante discloses the method wherein the media file is an audio/video file (*Pg 9 Paragraph 4: Digital video is well known in the art to be an audio/video file because it can contain both audio and video*).

In regard to claim 9, Bolante discloses the method wherein the media file is an audio file (*Pg 9 Paragraph 4*).

In regard to claim 10, Bolante discloses the method wherein the media file is a video file (*Pg 9 Paragraph 4*).

In regard to claim 11, Bolante discloses a computer readable medium, having disposed thereupon program instructions for a general purpose computer, the instructions configured to allow the computer to perform media file editing, the media file editing comprising the steps of *(Pg 16 Paragraph 2: Bolante inherently shows a computer readable medium because he discusses use of the program on two different operating systems which require computer readable instructions to run the program correctly).*

receiving from a user interface signals corresponding to positioning the cursor over the timeline in a position corresponding to an endpoint of a media segment *(Pg 24 Paragraph 4: Bolante discusses moving the pointer (or cursor) within the timeline to the outpoint on the right edge of the clip. The outpoint is considered the endpoint);*

receiving from the user interface signals corresponding to grabbing and moving the endpoint within the timeline *(Pg 24 Paragraph 5 – Pg 25 Paragraph 2);*

and changing the length of the media segment in response to the movement of the endpoint within the timeline *(Pg 24 Paragraph 5 – Pg 25 Paragraph 2).*

In regard to claim 12, Bolante discloses the computer readable medium further comprising displaying an iconographic affordance indicating available directions for moving the endpoint *(Pg 24 Paragraph 4 line 2: Bolante demonstrates and shows the trim out tool where the pointer (or cursor) changes to the image shown).*

In regard to claim 13, Bolante discloses the computer readable medium of claim wherein the affordance comprises an arrow (*Pg 24 Figure 7.5: Bolante enlarges a view of the trim out tool which contains arrows as shown in the Figure*).

In regard to claim 14, Bolante discloses the computer readable medium wherein an iconographic representation of the endpoints changes to indicate whether the segment length may be changed (*Pg 25 Paragraph 2: Bolante inherently shows that the endpoint changes to indicate whether the segment length may be changed by switching between a folded edge and a normal edge. When the edge is folded, the user knows that the endpoint cannot be extended any further. When the edge is not folded the user knows that the endpoint can be extended*).

In regard to claim 15, Bolante discloses the computer readable medium wherein the iconographic representation of the endpoint comprises squared edges to indicate that the segment has been trimmed (*Pg 25 Paragraph 2: Bolante discusses that when the clip cannot be extended any further a folded corner is displayed on the edge. This inherently shows that if the endpoint had been shortened from its maximum length, then the folded corner would not be present and a squared corner would indicate that the endpoint had been shortened*).

In regard to claim 16, Bolante discloses the computer readable medium wherein the iconographic representation of the one or more endpoints comprises rounded edges

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to indicate that the segment has not been trimmed (*Pg 25 Paragraph 2: Bolante discusses that when the clip cannot be extended any further a folded corner is displayed on the edge. This inherently shows that if the endpoint had not been trimmed then it would be full length and display a folded corner to indicate that it had not been trimmed*).

In regard to claim 17, Bolante discloses the computer readable medium further comprising: displaying representative frames corresponding to the audio video segment endpoint (*Pg 25 Paragraph 1: Bolante discusses using edge viewing which displays the current edge frame*).

In regard to claim 18, Bolante discloses the computer readable medium wherein the media file is an audio/video file (*Pg 9 Paragraph 4: Digital video is well known in the art to be an audio/video file because it can contain both audio and video*).

In regard to claim 19, Bolante discloses the computer readable medium wherein the media file is an audio file (*Pg 9 Paragraph 4*).

In regard to claim 20, Bolante discloses the computer readable medium wherein the media file is a video file (*Pg 9 Paragraph 4*).

In regard to claim 21, Bolante discloses a graphical user interface for a media editing program executed by a general purpose computer, the graphical user interface comprising (*Pg 16 Paragraph 2: Bolante discusses the operating systems that run the program which inherently shows the use of a general purpose computer; and Pg 24 Figure 7.5: Bolante shows the user interface*);

a cursor (*Pg 24 Paragraph 2: The selection tool is considered a cursor*);

an iconographic timeline, wherein the cursor may be movably positioned along the iconographic timeline (*Pg 23 Paragraph 1 lines 3-4: Bolante discusses a timeline window graphically representing clips of the program arranged in time; and Pg 24 Paragraph 1: Bolante discusses using the default tool and positioning it at a clip edge in the timeline*);

and an iconographic illustration of one or more endpoints of a media segment, the endpoints being located along the timeline, wherein the cursor changes appearance when positioned proximate an endpoint of the media segment to indicate that a length of the media segment may be changed (*Pg 24 Paragraph 2 – Pg 25 Paragraph 2: Bolante discusses the tool changing when placed on the edge of a media segment and also discusses the edge of the media segment displaying a folded corner when the edge cannot be moved out any further*).

In regard to claim 22, Bolante discloses the graphical user interface wherein the cursor changes appearance to an arrow indicating one or more directions in which the

endpoint of the media file may be moved, the movement of the endpoint corresponding to a change in the length of the media segment (*Pg 24 Paragraph 2-5*).

In regard to claim 23, Bolante discloses the graphical user interface wherein the iconographic representation of the one or more endpoints changes to indicate whether the segment length may be changed (*Pg 25 Paragraph 2*).

In regard to claim 24, Bolante discloses the graphical user interface wherein the iconographic representation of the one or more endpoints includes squared edges to indicate that the segment has been trimmed (*Pg 25 Paragraph 2: Bolante discusses that when the clip cannot be extended any further a folded corner is displayed on the edge. This inherently shows that if the endpoint had been shortened from its maximum length, then the folded corner would not be present and a squared corner would indicate that the endpoint had been shortened*).

In regard to claim 25, Bolante discloses the graphical user interface wherein the iconographic representation of the one or more endpoints includes rounded edges to indicate that the segment has not been trimmed (*Pg 25 Paragraph 2: Bolante discusses that when the clip cannot be extended any further a folded corner is displayed on the edge. This inherently shows that if the endpoint had not been trimmed then it would be full length and display a folded corner to indicate that it had not been trimmed*).

In regard to claim 26, Bolante discloses the graphical user interface further comprising: at least one representation of media corresponding to the endpoint (*Pg 25 Paragraph 1: Bolante discusses using edge viewing which displays the current edge frame*).

In regard to claim 27, Bolante discloses the graphical user interface wherein the media segment is an audio/video file (*Pg 9 Paragraph 4: Digital video is well known in the art to be an audio/video file because it can contain both audio and video*).

In regard to claim 28, Bolante discloses the graphical user interface wherein the media segment is an audio file (*Pg 9 Paragraph 4*).

In regard to claim 29, Bolante discloses the graphical user interface wherein the media segment is a video file (*Pg 9 Paragraph 4*).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas S. Ulrich whose telephone number is 571-270-1397. The examiner can normally be reached on M-TH 9:00 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chameli Das can be reached on 571-272-3696. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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2112
1/04/2007




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1/5/07